

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-7, 11-25, and 29-35 remain in the application. Claim 19 has been amended. Claims 8-10 and 26-28 have been previously canceled.

In the second item under Claim Rejections - 35 USC § 102 on page 2 of the above-identified Office Action, claims 1-4, 7-11, 19-22, and 24-29 have been rejected as being anticipated by Keuper et al. (U.S. 5,947,587) (hereinafter "Keuper") under 35 U.S.C. § 102(b).

As will be explained below, it is believed that the claims were patentable over the cited art in their previous form and, therefore, the claims, except for the clarification in claim 19, have not been amended to overcome the references. The clarification is supported in the original claims and is shown in Fig. 3 of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful. Claim 1 calls for, *inter alia*, an optical signal transmitter device, having:

at least two light elements located on the base plate in a configuration for solely defining a specific predetermined emission characteristic or a light density distribution, the light elements selected from the group consisting of SMT-compatible LEDs and LED semiconductor bodies fitted directly to the base plate; and

a condenser configured on an optical axis at a fixed distance away from the light elements for projecting light emitted from the light elements to infinity.

Keuper discloses a signal lamp with LEDs having a plurality of LEDs (4) arranged on a base plate (5), a positive lens (7), and a housing (1) with an open end, which is closed by a spreading window (3) as shown in Fig. 1 of the reference.

Claim 1 sets forth an optical signal transmitter device where solely the light elements define a specific predetermined emission characteristic or a light density distribution. In contrast, Keuper discloses a signal lamp with a spreading window (3). Depending on the setting of a distance between the LEDs (2) and the lens (7) (see col. 2, lines 33-50) the spreading window (3) "must perform two functions, i.e. the homogenization of the distribution of light intensity and the homogenization of the brightness distribution", or "has to

fulfill one function, i.e. the homogenization of the brightness distribution." In the case that the spreading window only has to fulfill homogenization of the brightness distribution, the LEDs of the signal lamp are arranged out of focus of the lens in order to achieve a homogeneous distribution of the intensity of the light (see col. 2, lines 41 et seq.). Therefore, applicant submits that the spreading window and the lens and condenser define the emission characteristic or the light density distribution of the signal lamp and not solely the configuration of the at least two light elements as recited in independent claim 1 of the instant application. Therefore, claim 1 is considered novel relative to Keuper. Furthermore, it is not considered obvious to one skilled in the art to build an optical signal transmitter device which does not need a spreading window or a lens for a predetermined emission characteristic or light density distribution on the basis of Keuper's disclosure. In contrast to that, Keuper discloses that a lens and a spreading window are necessary to obtain homogenization of the distribution of light intensity and the homogenization of the brightness distribution. Therefore, Keuper actually teaches away from the invention as claimed in independent claim 1 of the instant application.

Keuper does not disclose a condenser with convex curvature as

recited in the claim 19 amended herewith. Therefore, Keuper does show that a condenser with a convex curvature can increase the light gathering characteristic of the condenser. Nor is this feature obvious from Keuper.

Further, Keuper does not show surface-mountable LEDs (SMT-LEDs) nor LED semiconductor bodies fitted directly to the base plate, as recited in claims 1 and 19.

In view of the foregoing remarks, applicant believes that both claims 1 and 19 are not only novel with respect to Keuper, but also not obvious to one skilled in the art.

Clearly, Keuper does not show "at least two light elements located on said base plate in a configuration for solely defining a specific predetermined emission characteristic or a light density distribution, said light elements selected from the group consisting of SMT-compatible LEDs and LED semiconductor bodies fitted directly to said base plate" as recited in claims 1 and 19 of the instant application.

Further, the references do not show "a condenser having a convex curvature configured on an optical axis at a fixed distance away from said light elements for projecting light

emitted from said light elements to infinity" as recited in claim 19 of the instant application.

In the second item under Claim Rejections - 35 USC § 103 on page 3 of the above-identified Office Action, claims 12-18 and 30-35 have been rejected as being unpatentable over Keuper in view of Masami et al. (U.S. 4,729,076) (hereinafter "Masami") under 35 U.S.C. § 103(a).

The discussion of Keuper is equally applicable in this rejection.

Masami discloses a heat sink of heat-conductive material placed on the back of a circuit board. Upon the front of the board are LEDs arrayed as a signal light source. Masami does not make up for the deficiencies of Keuper.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1 or 19. Claims 1 and 19 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1 or 19.

Finally, applicant appreciatively acknowledges the Examiner's statement that claims 5, 6, and 23 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." In light of the above, applicants respectfully believe that rewriting of claims 5, 6, and 23 is unnecessary at this time.

In view of the foregoing, reconsideration and allowance of claims 1-7, 11-25, and 29-35 are solicited.

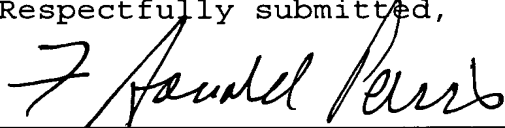
In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Appl. No. 10/601,532  
Amdt. dated 1/18/06  
Reply to Office action of 10/18/05

Please charge any other fees that might be due with respect to  
Sections 1.16 and 1.17 to the Deposit Account of Lerner and  
Greenberg, P.A., No. 12-1099.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "F. Donald Paris", written over a horizontal line.

F. Donald Paris (24,054)

FDP/bb

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